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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE****RECEIVED**

JUN 04 2004

Technology Center 2100

In re Application of:

Mitchell T. Weisman, et al.

Serial No. 10/021,737

Examiner: not yet known

Filed: December 12, 2001

Art Unit: 2153

Title: Method and Apparatus for  
Providing Items to Users in a Computer  
Network

Atty. Dkt. No.: 10005.000200

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450**INFORMATION DISCLOSURE STATEMENT****Under 37 C.F.R. §1.56 and §§1.97-98**

Sir:

Pursuant to the provisions of 37 CFR 1.56 and §§1.97-98, enclosed herewith is form PTO/SB/08 (substitute for form 1449A/PTO) listing references which may be material to the examination of this application, and with respect to which there may be a duty to disclose. The filing of this Information Disclosure Statement shall not be construed as a representation regarding the completeness of the list of references, or that inclusion of a reference in this list is an admission that it is prior art or is pertinent to this application, or that a search has been made, or as an admission that the information listed is, or may be considered to be, material to patentability, or that no other material information exists, and shall not be construed as an admission against interest in any manner.

A copy of each listed reference is enclosed herewith, unless no such copy is required pursuant to 37 CFR § 1.98(d).

- ☐ This application relies, under 35 U.S.C. § 120, on the earlier filing date of prior application Serial No. [SERIAL NUMBER], filed on [FILING DATE], and the references cited therein are hereby listed but are not required to be provided in this application under 37 CFR § 1.98(d).

Pursuant to 37 CFR §1.97, this Information Disclosure Statement is being submitted under the section indicated below.

- ☒ 37 CFR §1.97(b).
- ☐ 37 CFR §1.97(c). If so, then either:
  - ☐ Applicant certifies pursuant to 37 CFR § 1.97(e) that either:
    - ☐ each item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Statement; OR
    - ☐ no item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application or, to the knowledge of the person signing this certification after making reasonable inquiry, was known to any individual designated under 37 CFR § 1.56 (c) more than three months prior to the filing of this Statement.
  - OR
  - ☐ Applicant submits the petition fee of \$180 as set forth in 37 CFR § 1.17(p).
- ☐ 37 CFR § 1.97(d). If so, then both:
  - ☐ Applicant certifies pursuant to 37 CFR § 1.97(e) that either:
    - ☐ each item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Statement; OR
    - ☐ no item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application or, to the knowledge of the person signing this certification after making reasonable inquiry, was known to any individual designated under 37 CFR § 1.56(c) more than three months prior to the filing of this Statement.

AND

- ☐ Applicant submits the petition fee of \$180 as set forth in 37 CFR § 1.17(p).

Consideration of the listed references and favorable action are respectfully solicited.

Respectfully submitted,

Mitchell T. Weisman, et al.

Dated: May 26, 2004

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| CERTIFICATE OF MAILING   |                             |        |              |
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PTO/SB/21 (04-04)

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**TRANSMITTAL  
FORM**

(to be used for all correspondence after initial filing)

Application Number 10/021,737

Filing Date December 12, 2001

First Named Inventor Mitchell T. Weisman

Art Unit 2153

Examiner Name not yet known

Attorney Docket Number 10005.000200

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**ENCLOSURES (check all that apply)**☐ Fee Transmittal Form☐ Fee Attached☐ Amendment / Reply☐ After Final☐ Affidavits/declaration(s)☐ Extension of Time Request☐ Express Abandonment Request☒ Information Disclosure Statement☐ Certified Copy of Priority Document(s)☐ Response to Missing Parts/ Incomplete Application☐ Response to Missing Parts under 37 CFR 1.52 or 1.53☐ Drawing(s)☐ Licensing-related Papers☐ Petition☐ Petition to Convert to a Provisional Application☐ Power of Attorney, Revocation Change of Correspondence Address☐ Terminal Disclaimer☐ Request for Refund☐ CD, Number of CD(s) \_\_\_\_\_☐ After Allowance Communication to Technology Center (TC)☐ Appeal Communication to Board of Appeals and Interferences☐ Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)☐ Proprietary Information☐ Status Letter☒ Other Enclosure(s) (please identify below):

PTO Form SB-08ab;

Copy of listed ref.:

A17 and A18 documents only; Return receipt postcard

Remarks

**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT**Firm  
or  
Individual namePatrick D. Benedicto, Reg No. 40,909  
OKAMOTO & BENEDICTO LLP

Signature

Patrick Benedicto

Date

May 26, 2004

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Typed or printed name Patrick D. Benedicto

Signature

Patrick Benedicto

Date

May 26, 2004

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

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